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C O N F I D E N T I A L MADRID 002759

SIPDIS

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TAGS: [IR](#) [PHUM](#) [PTER](#) [SP](#) [PREJ](#) [IQ](#)

SUBJECT: SPAIN: RESPONSE ON MEK DETAINEE DEMARCHE

REF: STATE 107318

Classified By: Political Counselor Kathleen M. Fitzpatrick for reasons
1.4 (b) and (d).

1. (C) On July 9, the Spanish MFA finally responded with a definitive "no" to our 5/14 demarche (reftel) asking Spain to accept Mujahahedin-e Khalq (MEK) detainees. MFA Ambassador Fernandez de la Pena told us that the GOS has reviewed our request on an interagency basis, including MFA, Interior and Spanish National Intelligence (CNI), and vetted the names we had provided. According to de la Pena, the GOS interagency group determined that Spain could accept MEK parolees only if they had credible claims to Spanish citizenship, and found none among the names we submitted with a credible claim. The GOS is not interested in taking any others or undertaking any further review of the individuals whose names we submitted, according to de la Pena.

2. (C) De la Pena told us that, given the March 11 terrorist attacks in Madrid, the GOS was not in a position to accept any possible MKE members or associates. Keeping track of them would be an unacceptable burden on the police and intelligence agencies, he said, given the demands of the March 11 investigations and the continuing fight against ETA. For these reasons, the GOS had to refuse our request
ARGYROS